

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR SWITCHING OPTICAL SIGNALS WITH A PHOTON BAND GAP DEVICE the specification of which (check one):

 X is attached hereto; or

 was filed on as Application Serial No.

and was amended on (if applicable);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Number</u>	<u>Country</u>	<u>Date Filed</u>	<u>Priority Claimed</u> (Yes) (No)
-- None --			

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>Application</u> <u>Serial Number</u>	<u>Date Filed</u>
-- None --	

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Application</u> <u>Serial Number</u>	<u>Date Filed</u>	<u>Status</u> (Patented, Pending, Abandoned)
-- None --		

I hereby appoint the following as my attorneys/agents with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities:

Jerry W. Mills	Reg. No. 23,005
Robert M. Chiaviello, Jr.	Reg. No. 32,461
Ann C. Livingston	Reg. No. 32,479
Thomas R. Felger	Reg. No. 28,842
Charles S. Fish	Reg. No. 35,870
Kevin J. Meek	Reg. No. 33,738
T. Murray Smith	Reg. No. 30,222
Barton E. Showalter	Reg. No. 38,302
David G. Wille	Reg. No. 38,363
Bradley P. Williams	Reg. No. 40,227
Terry J. Stalford	Reg. No. 39,522
Christopher W. Kennerly	Reg. No. 40,675
Harold E. Meier	Reg. No. 22,428
Douglas M. Kubehl	Reg. No. 41,915
Thomas R. Nesbitt, Jr.	Reg. No. 22,075
James J. Maune	Reg. No. 26,946
Roger J. Fulghum	Reg. No. 39,678
Scott F. Partridge	Reg. No. 28,142

James B. Arpin	Reg. No. 33,470
Jay B. Johnson	Reg. No. 38,193
Robert W. Holland	Reg. No. 40,020
Robert A. King	Reg. No. 42,738
James L. Baudino	Reg. No. 43,486
David M. Doyle	Reg. No. 43,596
Tara D. Knapp	Reg. No. 43,723
Michael R. Barré	Reg. No. 44,023
William R. Borchers	Reg. No. 44,549
Brian W. Oaks	Reg. No. 44,981
Luke K. Pedersen	Reg. No. 45,003
Matthew B. Talpis	Reg. No. 45,152
Keiko Ichiye	Reg. No. 45,460
Thomas A. Beaton	Reg. No. 46,543
Jeffery D. Baxter	Reg. No. 45,560
Kurt M. Pankratz	Reg. No. 46,977
Brian E. Szymczak	Reg. No. 47,120
Thomas J. Frame	Reg. No. 47,232
Scott F. Wendorf	Reg. No. 48,029
Brian A. Dietzel	Reg. No. 44,656 (Agent)
Kevin R. Imes	Reg. No. 44,795 (Agent)

all of the firm of Baker Botts L.L.P.

Send Correspondence To:

T. Murray Smith
Baker Botts L.L.P.
2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980

Direct Telephone Calls To :

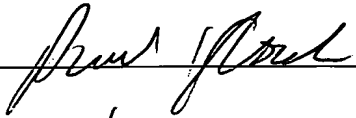
T. Murray Smith
at 214.953.6684
Atty. Docket No. 069078.0104

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

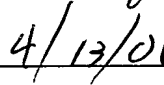
Full name of the sole or first inventor

Paul (nmi). Klocek

Inventor's signature



Date



Residence (City, County, State)

Dallas, Dallas County, Texas 75248

Citizenship

United States of America

Post Office Address

16909 Old Pond Drive
Dallas, Dallas County, Texas 75248

Full name of additional joint inventor, if any

James M. Florence

Inventor's signature



Date

13 April 2001

Residence (City, County, State)

Dallas, Collin County, Texas 75287

Citizenship

United States of America

Post Office Address

4803 Stony Ford Drive
Dallas, Collin County, Texas 75287